

Honorable Judge Glenn One Bowling Green  
New York, NY 10004-1408

Dear Judge Glenn,

I am writing to bring to your attention a matter concerning the distribution process in the ongoing bankruptcy case as international creditor of earn of Claim No. 10256 Date Filed 11/22/2022. Recalled the previous complaint of 6 March , I got the following response from Kirkland about my distribution :

“Our records indicate you opted out of the Class Claim Settlement and filed a proof of claim which is why you have not yet received your distribution.

The Class Claim Settlement provided that the amount of creditors’ scheduled Claims would be increased by 5% if creditors did not opt out of the Class Claim Settlement. Creditors who did not opt out also had their filed Proofs of Claim extinguished. As a reminder, the “scheduled Claim” is the US Dollar value of a creditor’s Celsius holdings as of July 13, 2022, the day that Celsius filed for bankruptcy. Creditors that opted out retained their rights to pursue their Proof of Claim through the claims allowance process. Generally, when a Proof of Claim is filed, any party in the bankruptcy case may object to that Proof of Claim, and the dispute must then be reviewed by the Court and the Court must decide whether to allow or disallow it. Accordingly, no payment on account of filed Proofs of Claim can be made until that process is complete and the Proof of Claim is allowed.

Creditors had to affirmatively opt out of the Class Claim Settlement by checking a box on their ballot during voting on the Plan. Creditors who did not opt out had their Proofs of Claim extinguished and were therefore eligible to receive payment as soon as the Effective Date (January 31, 2024).

We are exploring whether it is possible for creditors who opted out of the Class Claim Settlement to rescind that election. If you are interested in possibly rescinding your election, we can follow up with you once we have determined whether this is possible.”

How can this things be true, in a legal State like the american no distribution for a missing a box on a vote to a foreigner....

I’m Italian and probably had a mistake on the vote ,in what i fill because I don't speak well English and I use translators, and I don't know the procedures,I want to rescinding my election is not accetable after this long time to not have the distribution for “checking a box on their ballot during voting on the Plan”. This is no longer acceptable after long stressing case.

I am just asking to be treated equally as every other creditor who received their cryptocurrency already. Please help me and many others who are in the same situation as me to have the wait for long time distribution of asset.

I am asking to the court to please step up for creditors because we have nowhere else to turn. Thank you for your review and attention to this inquiry.

Best regards  
Bisogni Antonino Francesco